

REMARKS

In the Office Action dated November 27, 2007, in which the Examiner rejects all pending claims. Claims 1, 3-8, 10-13, 15-25, and 31-36 are currently pending and for at least the reasons stated below, the claims are allowable in view of the prior art of record.

Objection of claims

Objections to claims 1, 4-6, 10, 17, 33, and 35 have been amended in accordance with the Examiner's suggestions. Therefore, Applicants respectfully request withdrawal of all objections and entrance claims 1, 4-6, 10, 17, 33, and 35.

Rejection of claims under 35 U.S.C. §112 ¶ 1

On page 3 of the present Office Action, claim 24 is rejected under 35 U.S.C. §112 ¶ 1 because the Examiner asserts that the specification is silent as to how the rotation specific data defines the BCA/bar coding or how the BCA/bar coding formats can be used as rotation specific data. Applicants respectfully traverse and submit that the rejection is improper.

It is well known in the art that a Burst Cutting Area (BCA) or a bar code that is incorporated in close proximity to a hub can be encoded with specific characteristics of an optical disc. Specifically, page 25, line 18 through page 27, line 10 of the subject application discloses a special series of signals of 0's and 1's that can be encoded on a BCA or bar code. These special series of signals

are encoded on the BCA or bar code area of an optical disc in which the series of signals can be decoded to determine whether the optical disc is spinning in a clockwise or counterclockwise direction. Applicant's specification further discloses that when the special area 72 is read, the sequence S is detected with the number of 0's and 1's increasing or decreasing if the disc is rotating in a normal or reverse direction respectively. Thus, the specification provides proper support for claim 24 as originally filed.

Additionally, the Examiner asserts that the specification does not disclose how a BCA or a bar code is the same as a lead-in area, as implied by the phrase "consisting of". Applicants respectfully traverse and submit the rejection is improper. The phrase "consisting of" and the conjunctive word "and" are used to signify the use of an alternative expression commonly used in claim drafting, referred to as a Markush group. Reference is made to MPEP 2173.05(h). The specification on page 25, line 18 through page 27, line 10 discloses an alternative embodiment for determining the proper rotation of an optical disc. The use of BCA and bar codes are similar to lead-in data in which a specific area is designated with encoded data specifying the characteristics of an optical disc. Thus, Applicants specification as originally filed provides proper disclosure as to how a BCA or a bar code is the same as a lead-in area as filed. Withdrawal of the rejection and entrance of claim 24 is respectfully requested.

Claim 31 is rejected under 35 U.S.C. §112 ¶ 1 because the Examiner asserts that the specification fails to disclose where instructions are given to the user and the rotational direction of the disc is automatically reversed. On page

12 through page 13, the specification discloses that the player 120 may also be provided with a display 134 that provides information or instructions to the user. On page 14, line 8 through page 15 discloses an error is displayed to the user indicating a lead-in area is not found and further automatically entering the reverse mode. Thus, the specification provides proper support for displaying instructions to the user and automatically reversing the rotation of the disc. Therefore, Applicants respectfully request withdrawal of the rejection and entrance of claim 31.

Rejection of claims under 35 U.S.C. §112 ¶ 2

Claims 8, 10, 11, 12, 21, and 24 are amended to overcome the 35 U.S.C. §112 ¶ 2.

Independent claim 8 has been amended to recite, *inter alia*, "...a right handed spiral on both sides of said disc..." Additionally, claims 8 and 24 have been amended in accordance with the Examiner's suggestion in regards to "said machine readable rotation specific lead-in data."

Claim 10 has been amended to recite, *inter alia*, "...said disc having at least one data layer on both sides..."

The limitation recited in claim 11 "either side of the disc" and the limitation recited in claim 12 "the other side" now provides proper antecedent basis with respect to claim 8 as amended.

Claim 21 has been amended to recite "a manual selector" to provide proper antecedent basis.

Claim 34 has been cancelled.

All amendments find proper support in Applicants specification as filed. Thus, Applicants respectfully request withdrawal of the rejection and entrance of claims 8, 10, 11, 12, 21 and 24.

Rejection of claims under 35 U.S.C. §103(a)

Claims 1, 8, 15-17, 19, 23, 25, 32 and 35 are rejected under 35 U.S.C. §103(a) as being obvious over US Patent No. 6,850,478 (herein after "Ishibashi") in view of US Patent No. 6,018,506 (herein after "Okabe"). Applicants respectfully traverse and submit the rejection is improper because the combination of Ishibashi in view of Okabe fails to teach or suggest pending claims 1, 8, 15-17, 19, 23, 25, 32 and 35.

Briefly, the subject application pertains to an optical disc player that can read data from both sides of an optical disc. An optical disc that can be read by the player includes a plurality of characteristics and specific data for playing, wherein the player attempts to read these characteristics and specific data in a specified area of the disc. In one embodiment for determining disc type, a processor of a player rotates the disc in a predetermined direction. The sides of the disc are then checked for data either in the normal or reverse direction. This check is further repeated for the other side of the disc in which the player then categorizes the disc based on the check routine of both disc sides. In addition to determining the disc type inserted into the player, the player provides the functionality of presenting an error message if no lead-in data is detected. The

player may automatically reverse the rotation of the disc by at least one of a reverse mode, a smart mode, or a universal mode. Thus, the present invention cures prior optical disc player deficiencies by providing a player with automatic disc recognition and two heads for reading both sides of an optical disc without the user having to manually reverse the disc.

As to independent claims 1, 17 and 35

Independent claim 1 has been amended to more succinctly recite "...said disc has two data sides and is selected from a group consisting of: a first disc in which said data is read in a first direction on a first side and a second direction on a second side; and a second disc in which said data is read in the same direction on both sides..." and "...categorizes the disc based on said characteristics as being said first or said second disc." Independent claims 17 and 35 are amended to recite similar variants thereof.

First, Ishibashi is silent with regards to a disc having two data sides. Contrary to the subject application, Ishibashi's system only rotates a disc in a normal direction or an opposite direction only when an ordered sequence of marks is detected on one side of a disc in which the sequence of marks determines the rotation of the disc (i.e., *3T*, *14T*, and *5T* resembles a normal rotation of a reproduction only type disc and the *5T*, *14T*, and *3T* resembles a reverse rotation of a recordable type disc). The sequence of data provided with synch marks is only provided on one side of the disc for indicating legality rights for reproducing or recording data and not a player for reading a disc having two data sides as claimed by Applicants.

Additionally, Ishibashi fails to teach or suggest the disc is selected from a group consisting of a first disc and a second disc. Applicant's invention pertains to data on the first disc being read in a first direction on a first side and a second direction on a second side. The data on the second disc is read in the same directions on both sides wherein the player further categorizes the disc based on characteristics of the disc being a first or second disc. Ishibashi's system is incapable of reading a second disc in which the data is read in the same direction on both sides because the system of Ishibashi only discloses one optical head for reading data on a disc (see e.g., Fig. 3, optical head 2). Indeed, Ishibashi only discloses categorizing a disc based on marks on one side of a disc for distinguishing legality rights in which the disc is read only on one side (see e.g., Col. 7, Line 3-65).

Furthermore, the synch marks of Ishibashi are not part of any lead-in data but is instead code embedded in the actual data for segmenting data blocks. A person of ordinary skill in the art would be able to distinguish the difference between lead-in data used to begin the process of reading data on a disc from code embedded in the actual data for indicating boundaries between different data blocks of Ishibashi. Thus, Ishibashi fails to teach or suggest claim 1 as amended.

Second, on page 5 of the present Office Action, the Examiner correctly points out that Ishibashi fails to disclose lead-in data as claimed. The Examiner further asserts that Okabe cures the deficiencies of Ishibashi. Claim 1 has been amended to succinctly recite "...the disc has said lead-in area in one of two

locations, in which said controller checks said two locations for said lead-in data...” Contrary to claim 1 as amended, the system and method of Okabe is directed towards one lead-in data on one side of a disc for discriminating between first data to be reproduced at a first reproducing rate and second data that is to be reproduced at a second reproducing rate. There is no disclosure in Okabe that the disc has lead-in area in one of two locations.

Additionally, claim 1 has been amended to recite, *inter alia*, “...categorizes the disc based on said characteristics as being said first or said second disc categorized by said controller.” The Okabe reference is simply silent in regards to categorizing based on specific disc characteristics. Thus, Ishibashi, alone or in combination with Okabe fails to teach this limitation.

Lastly, the Kim reference also fails to teach or suggest a disc having two data sides in which the controller of a player categorizes the disc based on a first disc and a second disc having specific disc characteristics. Kim only discloses a disc having two lead-in areas on one side of a disc arranged between the innermost circumference and the outermost circumference of a disc. The two lead-in areas on one side of the disc only allow a movable member to access an area within a specific radius range (see e.g., Col. 4, Lines 35-57). Indeed, Kim is also silent with regards to categorizing as recited in amended claim 1.

Ishibashi, alone or in combination with Okabe and Kim simply do not teach or suggest the features of claim 1 as amended. Independent claims 17 and 35 are amended to recite similar variants thereof and are therefore also allowable in view of the arguments presented above. All dependent claims dependent on

their respective base claims are also allowable for at least the reasons presented above.

It is respectfully submitted that independent claims 1, 17 and 35 and all base claims dependent thereon are in condition for allowance.

As to independent claim 8

Independent claim 8 has been amended to recite, *inter alia*, "...in one configuration the disc having data arranged along a right handed spiral on both sides of said disc, in the second configuration the disc having data arranged along a right handed spiral on one side and a left hand spiral on the other side of said disc..."

Ishibashi in view of Okabe and further in view of Kim fails to teach or suggest claim 8 as amended. Ishibashi discloses identifying a disc based on the sequence of data blocks on one side of a disc in which synch marks are used to segment different data blocks. On the other hand, Okabe only discloses lead-in data on one side of a disc for discriminating between first data and second data. Lastly, the Kim reference discloses two lead-in areas on one side of a disc for an optical head to access an area on a disc based on specific radius range.

Therefore, Ishibashi in combination with Okabe and Kim are silent with regards to a player reading a disc with data being arranged along a right handed spiral on both sides of a disc with two sides, and a second configuration having data arranged along a right handed spiral on one side and a left hand spiral on the other side of the disc.

Thus, it is respectfully submitted that claim 8 is in condition for allowance.
All dependent claims dependent on their respective base claims are also
allowable for at least the reasons presented above.

It is respectfully submitted that the subject application is patentably
distinguishable over the prior art and therefore it should be allowed.

Respectfully submitted,
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